

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTOPHER ADAMS,

Defendant.

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Case No. 8:08CR423

ORDER

This case is before the court on the defendant Christopher Adams' Motion to Review Detention (#144). The defendant moves the court for release for inpatient treatment at the NOVA therapeutic community. The motion is denied without hearing.

A review of the defendant's Petition for Warrant for Offender Under Supervision (#114) discloses that the defendant is currently before the court not only on the Petition for Warrant for Offender Under Supervision, but also for a March 22, 2016 three-count indictment charging him with conspiracy to distribute 500 grams or more of methamphetamine, possession with intent to distribute 500 grams or more of methamphetamine, and felon in possession of a firearm (a Springfield XD .9mm pistol). A review of the defendant's April 6, 2016 Pretrial Services report (Addendum, 8:16CR118, #11) discloses that the defendant has a significant prior criminal record, including four prior felony convictions, a conviction for domestic assault (2002), and his State parole revoked for absconding (2008). The record also discloses eight (8) prior failure to appear charges. Additionally, the new indictment allegedly occurred while he was on supervised release.

The defendant's proposed treatment program fails to mitigate the court's concerns as to flight and danger and fails to meet the defendant's burden under 18 U.S.C. § 3143

to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community.

IT IS ORDERED: Defendant Christopher Adams' Motion to Review Detention (#144) is denied without hearing.

Dated this 11th day of May 2016.

BY THE COURT:

s/ F.A. Gossett, III
United States Magistrate Judge